

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AHRMADE LECOUNT,
Plaintiff,

v.

SGT. EDWARD KROPP, JR., et al.,
Defendants.

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Case No. 2:25-cv-1161-JDW

ORDER

AND NOW, this 12th day of March, 2025, upon consideration of Plaintiff Ahrmade LeCount's Motion to Proceed *In Forma Pauperis* (ECF No. 1), for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED**. Ahrmade LeCount, #EV-0717, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case.

The Clerk of Court shall send a copy of this Order to the Superintendent of SCI Dallas. The Superintendent of SCI Dallas or other appropriate official shall assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. LeCount's inmate account; or (b) the average monthly balance in Mr. LeCount's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Mr. LeCount's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward

payments to the Clerk of Court equaling 20% of the preceding month's income credited to Mr. LeCount's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

It is **FURTHER ORDERED** that the Complaint is **DEEMED** filed and is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the accompanying Memorandum.

Mr. LeCount may file an amended complaint on or before April 18, 2025. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Mr. LeCount's claims against each defendant. The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. When drafting his amended complaint, Mr. LeCount should be mindful of my reasons for dismissing the claims in his initial Complaint, as explained in the accompanying Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until I so order.

It is **FURTHER ORDERED** that the Clerk of Court shall send Mr. LeCount a blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number. Mr. LeCount may use this form to file his amended complaint if he chooses to do so. If Mr. LeCount does not wish to amend his Complaint and instead intends to stand on his Complaint as originally pled, then on or before April 18, 2025, he

may file a notice with the Court stating that intent, at which time I will issue a final order dismissing the case. Any such notice should be titled "Notice to Stand on Complaint," and shall include the civil action number for this case. If Mr. LeCount fails to file any response to this Order, I will conclude that Mr. LeCount intends to stand on his Complaint and will issue a final order dismissing this case.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.